

GARY LOCKE  
Governor

**READ BY MOL**

STATE OF WASHINGTON

## OFFICE OF THE GOVERNOR

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March 30, 2004

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OFFICE OF THE  
EXECUTIVE SECRETARIAT

The Honorable Michael O. Leavitt, Administrator  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue NW  
Washington, DC 20004

Dear Administrator Leavitt *Mike*

I have watched with great interest the recent developments surrounding the Lake Roosevelt superfund site, and I am writing to again voice Washington State's views on the cleanup process.

In our correspondence with the U.S. Environmental Protection Agency (EPA) Region X, Washington State has always believed that the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) is the appropriate regulatory tool for addressing the characterization and remediation of contamination at Lake Roosevelt. After many months of trying to negotiate a Superfund Alternative agreement with Teck Cominco Metal Ltd, EPA took an important step in the cleanup process when it issued its December 11, 2003, *Unilateral Administrative Order (UAO) for Remedial Investigation/Feasibility Study* to Teck Cominco Metal Ltd. I also understand that for the past several weeks EPA and other federal agencies have been engaged in discussions with the Canadian federal government regarding Lake Roosevelt and the UAO, and that Washington has not been included.

Washington believes the administrative and legal mechanisms, which Congress integrated into CERCLA, are appropriate and necessary for the resolution of contamination issues, particularly at very large, complex sites like Lake Roosevelt. As a natural resource trustee for Lake Roosevelt and a state regulator of hazardous waste contamination, Washington State strongly encourages EPA to continue forward with the CERCLA process. The rigor of the CERCLA RI/FS process is the best method to ensure adequate characterization of Lake Roosevelt and to guide appropriate cleanup decisions. Washington supports EPA's current effort to scope this study, and also believes that CERCLA's provisions provide the appropriate means to ensure that the responsible parties, not American taxpayers, fund the cleanup process.

Finally, I note with extreme disappointment that Washington State has not been included in the current discussions with Canada regarding Lake Roosevelt. Washington's interests as a natural resource trustee and guardian of the health and welfare of its citizens are acutely affected by the course EPA follows at Lake Roosevelt. In order to adequately protect those interests, it is essential that Washington be briefed on the substance of discussions thus far and be included in any further discussions between the United States and the federal government of Canada regarding Lake Roosevelt.

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The Honorable Michael O. Leavitt  
March 30, 2004  
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Washington State looks forward to continued work with EPA on Lake Roosevelt, and the implementation of a cleanup process that protects the health of Washington's citizens and natural resources.

Sincerely,



Gary Locke  
Governor

cc: John Iani, EPA Region X  
Joseph Pakootas, Colville Confederated Tribes



State of Washington  
 OFFICE OF THE GOVERNOR  
 P.O. Box 40002, Olympia, WA 98504-0002



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 FIRST CLASS



The Honorable Michael O. Leavitt  
 Administrator  
 U.S. Environmental Protection Agency Headquarters  
 Ariel Rios Building  
 1200 Pennsylvania Avenue Northwest  
 Washington, DC 20004

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TOTAL P.04

**Controlled Correspondence For  
REGION 10**

**CONTROL NO :** AX-0402652

**ORIG. DUE DATE:** 05/04/2004

**FILE CODE:** MDRFS CORR 141 **MAJOR CORR - DAILY READING FILE - SEEN BY THE**  
**ADMINISTRATOR**

**STATUS:** PENDING

**CORRES. DATE:** 03/30/2004

**RECEIVED DATE:** 04/20/2004

**ASSIGNED DATE:** 04/23/2004

**CLOSED DATE:**

**FROM:** LOCKE GARY  
**ORG:** GOVERNOR OF WASHINGTON  
**SALUTATION:**  
**CONSTITUENT:**

**TO:** ADMINISTRATOR  
**TO ORG:** EPA  
**SUBJECT:** CLEANUP PROCESS OF LAKE ROOSEVELT SUPERFUND SITE

**ASSIGNED:** Office of Environmental Cleanup

**COPIES OF INCOMING PROVIDED TO:** AO - BARBARA MCLEOD, SOLID WASTE &  
EMERGENCY RESPONSE, OCIR - PAM LUTTNER

**SIGNATURE:** REGIONAL ADMINISTRATOR  
**R10 COMMENTS:**

**AX INSTRUCTIONS:** DAILY READING FILE -- READ BY THE ADMINISTRATOR

PREPARE REPLY FOR THE REGIONAL ADMINISTRATOR'S SIGNATURE.  
SEND COPY OF REPLY TO OEX.

**R10 INSTRUCTIONS:** CONCURRENCE SHEET. Please have Bill Dunbar concur. Prepare for RA signature.  
Please send copy of final letter to Martina Richard, CEC-142.

	Assigned	Date Assigned	Code/Status	Date Completed by Assignee	Date Returned to R10 :
Lead	ECL	04/23/2004	ACTION	-	-



**Martina Richard**

05/05/2004 08:55 AM

To: Monica Tone/R10/USEPA/US@EPA

cc:

Subject: Re: AX-0402652: Ltr to Administrator Leavitt from Governor Locke  
AX-0402587: Ltr to Administrator Leavitt & John Iani from Chairman of  
the Colville Tribe

Please see below...


----- Forwarded by Martina Richard/R10/USEPA/US on 05/05/2004 08:54 AM -----

**Preston White**

05/04/2004 07:23 AM

To: Martina Richard/R10/USEPA/US@EPA

cc: Sharon VanMeter/DC/USEPA/US@EPA

Subject: Re: AX-0402652: Ltr to Administrator Leavitt from Governor Locke  
AX-0402587: Ltr to Administrator Leavitt & John Iani from Chairman of  
the Colville Tribe 

05/04/04

Hello Martina:

Per your request, AX-0402652 and AX-0402587 have been upgraded. Both documents are now to be written for the Administrator's signature. If you have any further questions, please don't hesitate to get in touch.

Thanks.

Preston L. White